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EXPANSE NETWORKS, INC.
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MAIL

MAR 24 2004

DIRECTOR OFFICE
TECHNOLOGY CENTER 2600

In re Application of)
Eldering et al.)
Application No. 10/068,771)
Filed: February 5, 2002)
For: TARGETED ADVERTISING IN ON)
DEMAND PROGRAMMING)


**NOTIFICATION OF
IDENTIFICATION OF PRIOR
ART IN LATE PROTEST UNDER 37
C.F.R. § 1.291(a)**

The protest filed February 13, 2004, is a proper citation under 37 C.F.R. §1.291(a); however it was filed after the August 7, 2003 publication date of the application.

Because the protest was filed after publication of the application it is not being entered in the application file. The original protest is enclosed with this letter and the duplicate copy submitted by the protestor is being destroyed in accordance with MPEP § 1901.06, Protest Filed After Allowance Or The Publication Of The Application.

If appropriate, Applicant may wish to consider submitting prior art from the protest pursuant to 37 C.F.R. §1.97 and 37 C.F.R. §1.56 during the prosecution of the application.

The protest did not satisfy the requirements pursuant to 37 C.F.R. §1.99 for failure to provide copies of the references and failure to pay the appropriate fee.


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Enc: Protest (4 pages)